

## DECLARATION AND POWER OF ATTORNEY

(Continuation in Part)

We, <sup>201</sup>JAN HEERES\* and <sup>212</sup>LEO J. J. BACKX,

\*The Netherlands

declare that we are citizens of Belgium  
resident of Leemskuilen 18, 2350 <sup>211</sup>Vosselaar, Belgium and Broekstraat 92,  
2370 <sup>211</sup>Arendonk, Belgium,

believe that we are the original, first and joint inventors of the improvement in <sup>211</sup>NOVEL HETEROCYCLIC DERIVATIVES OF (4-PHENYLPYPERAZIN-1-YL-ARYLOXY-METHYL-1,3-DIOXOLAN-2-YL)-METHYL-1H-IMIDAZOLES AND 1H-1,2,4-TRIAZOLES described and claimed in the foregoing specification; that this application in part discloses and claims subject matter disclosed in our earlier filed pending application, Serial No. 919,333 filed June 23, 1978; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application, that, as to the subject matter of this application which is common to said earlier application, we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier application; and that no application for patent or inventor's certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America, except as follows:

(NONE)

That, as to the subject matter of this application which is not common to said earlier application, we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate issued in

any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent or inventor's certificate on said invention has been filed by us or our representatives or assigns in any country foreign to the United States of America, except as follows:

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Leonard P. Prusak (Reg. #18,059)

Salvatore R. Conte (Reg. # 20,036)

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Address all correspondence to Leonard P. Prusak, 501 George Street, New Brunswick, New Jersey 08903.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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